

Bureau of Home Furnishings and Thermal Insulation

INITIAL STATEMENT OF REASONS

Hearing Dates: June 14, 2005 in Sacramento, CA and June 16, 2005 in Diamond Bar, CA.

Subject Matter of Proposed Regulations: Compliance Fee Rate Schedule

(1) Section(s) Adopted: Section 1383.7, of the California Code of Regulations, Title 4, Division 3.

Specific Purpose of each adoption, amendment, or repeal:

1. Create Section 1383.7 to establish a fee schedule to recover costs of laboratory testing necessary to investigate and enforce compliance as it relates to sellers or manufacturers of non-compliant products.

Factual Basis/Rationale

Developing a compliance fee schedule will help recover costs of laboratory testing necessary to investigate and enforce compliance as it relates to sellers or manufacturers of non-compliant products in California.

The expendables over the past year that is used for each of the laboratory tests include gas, sheeting, standard fabric, miscellaneous supplies and cigarettes. The total amount of money spent on these items in one year is approximately \$13,000. The number of fee for service tests was divided into this figure and an average cost of expendables was calculated. The average time spent on each type of sample was also calculated. The two figures were added together and an average cost to test was calculated. This calculation was performed for Technical Bulletin 117, 106 and the full-scale tests done in the Bureau's burn facility.

In addition, the California Business and Professions Code §19213.1 set the fee range for failed test or inspection to be a minimum of \$200 and not more than \$500.

Underlying Data

None

Business Impact

No significant statewide adverse economic impact directly affecting California businesses.

Specific Technologies or Equipment

None

Consideration of Alternatives

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed regulation.